

REMARKS

The Office action dated May 2, 2006, is acknowledged. Claims 1-6 are pending in the instant application. According to the Office action, each of these claims has been rejected. The claims and specification have been amended as set forth above, without adding new matter, to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Reconsideration is respectfully requested in light of the following remarks.

Rejection of Claim 4 under 35 USC 112

Claim 4 has been rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner notes that it is unclear what “a movable cover section located in a turnable manner in unison with the turn able body” means. The Examiner further states that it is not clear how “located” and “turnable manner” are related and how they are “in unison” with the turnable body. The Examiner concluded that he assumed Applicant meant “a movable cover section mounted in a turnable manner on the turnable body and turning in unison with the turnable body.”

The Applicant would like to first point out that the application refers to a “turnable” body, as set forth in the specification and claims, not “turntable”, as repeated in the Office action. Applicant is using this term to refer to a “body that is capable of turning about a vertical axis” (Paragraph [0038], lines 1-3).

Applicant has amended claim 4 to clarify how the “movable cover section 84 turns in unison with the turnable body 41.” The movable cover section 84, formed by

plates (elements 84a, 84b, 84c and 84d), is connected to a rotatable member 61, by way of a bracket 68, which is located on the rotatable member 61 (Paragraph [0048], lines 6-8). The rotatable member 61 is also connected to the turnable body 41, making the movable cover section 84 able to turn in unison with the turnable body 41 (Paragraph [0048], lines 6-8; Figure 1).

Applicant respectfully submits that the application particularly points out and distinctly claims the subject matter of the invention in view of the amendment to claim 4 and the remarks above. Therefore, the 112 rejection is improper and should be withdrawn.

Rejection of Claims 1-3, 5 under 35 U.S.C. 103(a)

Claims 1-3, 5 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Brudi in view of Derby. According to the Examiner, Brudi teaches an apparatus T and its inherent associated method of transferring articles P to and from an article handling section, using a self-propelled carriage T capable of traveling along a fixed path, the carriage comprising a movable body 50 (70,80) movable in a longitudinal direction with respect to a carriage body, a turnable body 30 capable of turning about a vertical axis with respect to the movable body, and an article supporting body 70, 80 disposed over the turnable body, said method comprising the steps of:

halting the self-propelled carriage T alongside the article handling section;

performing initial turning of the turnable body 30 about the vertical axis so

as to cause a front end of the article supporting body 70, 80 to face the article handling section;

moving the movable body 50 whilst turning the turnable body 30 about the vertical axis, so that the front end of the article supporting body is positioned substantially right at a lateral side of the carriage body so as to face the article handling section;

performing a transfer of an article P between the article supporting body 70,80 and the article handling section; and

causing the article supporting body to perform a reverse operation returning the article supporting body over the turnable body.

The Examiner goes on to state that Brudi is capable of moving the movable body and turnable body at the same time but does not discuss doing simultaneous movement. Further, the Examiner states that Derby teaches (column 6, lines 60-67 through column 7, lines 1-2) simultaneous translation and rotation in order to simplify a process. Thus, the Examiner concludes it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Brudi by Derby to have simultaneous translation and rotation in order to simplify and speed up the movement process.

As noted in the above claim amendments, claims 1-3 have been canceled, and claim 4 has been rewritten in independent form. Therefore, the rejection of claims 1-3 are deemed moot in view of the above amendment. Withdrawal of this rejection is respectfully requested.

Regarding the rejection of claim 5, the Examiner states that Brudi teaches the article supporting body 70, 80 is a fork device extendable and retractable in forward and backward directions. Applicant has amended claim 5 to depend from amended claim 4,

which Examiner has noted would be allowable if rewritten to overcome the rejection under 35 USC 112. Applicant now believes the rejection of claim 5 is moot in view of the amendment to claim 4. Applicant respectfully requests withdrawal of this rejection.

In view of the above arguments and amendments, the Applicant respectfully submits that the combination of Brudi and Derby, fails to teach every limitation set forth in the amended claims. Therefore, this rejection is not proper and therefore the withdrawal thereof is requested.


Conclusion

For the foregoing reasons, it is believed that the present application as amended is in condition for allowance, and such action is earnestly solicited. The Examiner is invited to call the undersigned if there are any remaining issues to be discussed which could expedite the prosecution of the present application.

Respectfully submitted,

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